

In attendance: Mr. Rabbitt presiding, Ken Jones, Carl Luck, Todd Dwyer, Brad Kennedy, Thomas Bertram, Matthew Marro, Agent.

Town of Lunenburg Conservation Commission

Richard Bursch, Chair
Jack Rabbitt, Vice-Chair
Brad Kennedy
Tom Bertram
Carl Luck
Todd Dwyer
Kenneth Jones



Tel: (978) 582-4146
960 Massachusetts Ave.
Lunenburg, MA 01462

NOTICE OF MEETING

Wednesday, February 17, 2016, 7:00 PM regular meeting
Ritter Memorial Building, 960 Massachusetts Avenue
Lunenburg, MA 01462

MINUTES

Call to Order Announcements

Public Comment- Mr Marro reported to the commission an email he received this afternoon for DEP on a new outreach program, a draft permit on pleasant street (that he sent the forester an official objection to the permit request) and that the MACC Bill has been sent to Adam.

Commissioner Luck requested an item for communication between boards be added to the agenda for the next meeting.

Vice Chair Rabbit informed the commission about grant programs for land. He also spoke to the commission about eutrophication with Mr. Marro and hoped to have it ready for the next meeting.

Approval of Minutes November 18, 2015, December 2, 2015 and January 6, 20, and Feb 3, 2016
Appointments/Hearings –commences at 7 PM

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public meeting on a request for a determination of applicability by Cassano Realty Trust for the replacement of a subsurface sewage disposal system within the buffer zone at 664 Northfield Road.

Steve Marsden was present for the applicant. He outlined the site and the orientation to the wetland for the Commission. He also outlined the project proposal for the commission and the public in attendance. He noted the system was out of the buffer and it was grading that came in the buffer and it is 70 feet away from the wetland.

Commissioner Kennedy, based on Mr. Marro's recommendation moved for a negative determination (number 3). Mr. Jones seconded and the commission voted unanimously. Commissioner Luck reminded the applicant about the tree laying down in the buffer zone and that is be removed by hand.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public meeting on a request for a determination of applicability filed by Donal 75 LLC for the replacement of a subsurface sewage disposal system within the buffer zone at 1396 Mass Ave.

Daniel Proctor was representing the applicant and outlined the project and its orientation and grading specifics to the commission and the public in attendance.

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Commissioner Kennedy noted that the grading was very subtle. Mr. Dwyer moved for a negative 3 determination. Mr. Kennedy seconded and the commission voted unanimously.

Current Business

1. **CONTINUED PUBLIC HEARING: UNITIL- 357 ELECTRIC AVE, NOTICE OF INTENT – Commissioner Dwyer had noted that the report from GZA Associates was well done and addressed concerns. Mark Belliveau, Esq and Mark Piermarini represented the applicant. Mr. Belliveau recounted the prior hearings and the follow up work that was done. He outlined the issues very quickly and the way they were addressed.**

Mr. Belliveau examined the revised plans with the commission showing the changes made to the storage areas and outlined each change and how they addressed concerns expressed.

Mr. Luck expressed concerns that the alarm level was too high. Mr. Piermarini indicated that this could be lowered.

Greg Bittner inquired as to where the water would go if the tank overflowed. It was indicated it would simply cycle around the drainage system which would be enclosed by the plug. Commissioner Dwyer verified that by examining the hydrology of the collection system.

Commissioner Dwyer wanted to know if there was an inspection schedule. Mr. Peirmaini noted it would be examined on a monthly basis. Vice Chair Rabbitt wanted to know if it was going to be documented and Mr. Belliveau answered yes.

Commissioner Rabbitt inquired as to how snow removal would be done in the storage area. The answer was shovel.

Commissioner Kennedy noted that the grass channel/filter-strip should be adjusted to match the design narrative.

Mr. Belliveau outlined the pre and post construction narrative on the storm water. Mr Luck indicated that in his conversations with DEP the length of the grass is critical and should be addressed. Mr. Belliveau examined detail sheet 9. It was noted that the 3-6 inch requirement for the grass swale would be added to the storm water management and operations plan. Mr. Kennedy requested that the grass swale should be 50 feet away. Mr. Piermarini noted that he cannot and that it is a re-development site. Commissioner Dwyer noted that the amount of water actually going into the swale was not a very large amount and that should be taken into consideration.

Commissioner Dwyer asked the applicant to narrate for the commission why a filter strip may be better than a grass swale. He noted that they both do similar functions and he felt that it was less construction intensive.

Mr. Rabbitt was inquiring about the amount of roof runoff being put into the system. It was noted that storm water standards considers in clean water.

Commissioner Dwyer inquired if the interceptor trench was a gravel strip. He stated the opinion that he feels the gravel interceptor to the filter strip would be better to collect water and sediment.

Mr. Luck inquired about snow storage and it appears to be within or very close to the 50 foot no touch zone.. Mr. Piermarini noted there was no storage into the 50 foot buffer and that it would be marked off. Mr. Luck noted that there was a note about a gate that would create an opening for snow storage in the grass channel. Mr. Piermarini noted that it was not within any wetland buffer and the area outlined was a path to storage.

Mr Belliveau submitted pictures of the pole storage structure for the commissions consideration. He outlined the pole storage modifications and the revisions to mitigation of any runoff. There is a proposed once per week inspection of the pole storage areas and it will also be documented.

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The Commission is expecting the following issues to be addressed:

- Snow storage
- Configuration of grass length and height
- Update documentation on the storm water operation and maintenance plan
- And warning alarm for storage tank.

The hearing was continued the March second meeting with the consent of the applicant.

2. CONTIUNED PUBLIC HEARING: HIGH FIELD VILLAGE OFF 961 NORTHFIELD ROAD This meeting has been continued to the March 2, 2016 meeting by unanimous vote of the Commission on a motion by Mr. Luck and a second by Mr. Jones.
3. Signatures on documents to be issued. - none
4. Certificate of Compliance - none
5. Enforcement –
 - 189 Howard Street, Arthur and Donna Jacobson, administrative hearing. – Mr. Jacobson came to the commission with pictures of what was done. The Commission noted that it was difficult to tell from the pictures. Commissioner Dwyer recommended a site inspection. Mr Luck inquired if the Notice of Intent called in the enforcement order was filed. Mr. Marro noted that this has not been done but it may be waived under enforcement. Vice Chair Rabbitt noted that perhaps based on past history we should. Mr. Marro recommended that the scope of a Notice should be determined on site. The Commission is going to perform a site walk this Saturday at 8:30 AM The matter was continued to March 2, 2016 by unanimous vote.
 - 183 Hemlock Drive – Dan Thomas, administrative hearing – The Thomas's were present as well as Walt Parquet from the lake association. Mr. Thomas noted that the biggest issue was the wall. Mr. Rabbitt noted that the issue was two fold. 1. An expired permit. 2 filling within the lake.

Mrs. Thomas noted that there was an erosion problem and that this wall would solve it and she could not understand why it was an issue. Mr. Rabbitt explained that filling even the one to two feet in front of the water is not allowed. He also noted that there is an abutter issue (lake association). Mr Parquet noted that there was no permission granted from the board and that there is a deed requirement. Mr. Thomas noted that he thought there was a notice sent.

Mrs. Thomas noted that she felt there was an approval and that they didn't realize they expires. Mrs Thomas wanted to know if putting the wall out of the lake and re-setting it a foot would be the solution. Messers Kennedy and Jones both indicated yes and explained that it is standard procedure to simply replace existing and not fill in the lake.

Mrs. Thomas noted that there was no intention to violate. She noted that because they are on the point and that they are losing land due to erosion. Mr. Kennedy noted that the commission asked for an engineered plan documenting this and that a plan can help the commission document. Mrs. Thomas indicated that they have a friend who can draw plans for them but was not sure the commission would accept them. Mr. Marro indicated that as long as it scaled then that is acceptable. Commissioner Dwyer indicated that prior and pre existing conditions should be added to the plan. Mr. Rabbitt reviewed the scope for the Thomas' to plan for.

Commissioner Luck inquired if we had documentation as to what the commission is looking for. Mr. Marro noted he will send a follow up email to the Thomas' and will copy the commission on the email. Mr Luck also wanted to ensure that there was no misunderstanding that the commission would not allow for in lake filling to recover lost land. Everyone agreed that it was understood.

Mr. Rabbitt noted that the floating dock should added to the approval. He also looked for a time line. Mrs. Thomas would contact the engineer within 48 hours and be able to give us a time line. Mr. Rabbitt noted that there should be a time line for construction. Commissioner Dwyer felt that they commission should give them a month to organize an update with a goal of commencing work for the next drawdown period.

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This matter was continued to March 16 with a plan and schedule for completing the matter by a motion from commissioner Jones and a second by Mr. Dwyer and a unanimous voted.

Old Business

1. Holman Street Parking Area- Mr. Marro reported that Brandon Kibbe will be at the March 16th meeting. Commissioner Kennedy showed the commissioner current conditions of the lot. Commissioner Jones asked to have Gary Goldrup also invited
2. Forest Cutting Plans and updates – Mr. Marro reported that he received a cutting plan for 101 Pleasant Street and that he objected to it due to the issuing a driveway permit from the building inspector and the existing enforcement order.
3. Regulations and By-Law – Mr. Marro reported that the invoice for the MACC conference on March 5, 2016 has been received and forwarded to Adam Burney's office.
4. Commission Education – The MACC conference admission has been paid and all set.
5. Storm Water By-Law
6. Annual Report (Due February) Mr Marro is completing the annual report and will send out to the commission for review

Committee Reports – FY 17 Budget

Notices & Communications

Meeting Schedule- Next meeting for March 2, 2016 at 7:00 PM In the Ritter Memorial Administration Building.

Public Comment For Meeting Close.

Adjournment